

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

ROBERT CORAL,)	
)	
Petitioner,)	
)	
v.)	CIVIL ACTION NO.2:05cv1112-MEF
)	
RICHARD F. ALLEN, Commissioner)	
Alabama Department of Corrections,)	
et. al.,)	
)	
Respondents.)	

ORDER

Upon consideration of Petitioner's Motion for Discovery (Doc. # 30) filed May 12, 2006 and after consideration of the Respondent's Response to the Motion (Doc. # 31), the Petitioner's Reply to the Response (Doc. #36) and oral argument of counsel held on June 7, 2006, it is

ORDERED that the Motion for Discovery (Doc. # 30) be and is hereby DENIED without prejudice. With respect to the claims upon which Petitioner bases the motion, the Respondent argues that those claims are procedurally defaulted. After the briefs on procedural default are filed and considered by the court, the court will allow Petitioner to refile its motion for discovery, if the court concludes that the issues upon which the motion is based are not procedurally defaulted.

Done this 8th day of June, 2006.

/s/Charles S. Coody
CHARLES S. COODY
CHIEF UNITED STATES MAGISTRATE JUDGE